

REMARKS

Claims 1 and 4-13 are pending in the above-identified application. A portion of claim 2 has been inserted into claim 1. Support for new claim 13 is found, for example, at page 5, lines 6-13 of the present specification.

Removal of Issue under 35 USC 112

Claim 7 has been rejected under 35 USC 112, second paragraph as allegedly being indefinite. Specifically, claim 7 has been objected to because of the lack of antecedent basis for the phrases “the ionomer” and “the urethane”. Claim 7 has been amended so as to change the article and remove the basis for the above-noted rejection, such that this rejection should be withdrawn.

Issues under 35 USC 102(a), 102(b), 102(e) and 103(a)

Claims 1, 2, 5, 8 and 9 have been rejected under 35 USC 102(b) and 102(e) as anticipated by or, in the alternative, under 35 USC 103(a) as obvious over Fushihara ‘919 (US 2002/0098919 A1).

Claims 1-8, 10 and 11 have been rejected under 35 USC 103(a) as being unpatentable over Ohira ‘410 (USP 6,509,410) in view of Bulpett ‘743 (US 2002/0086743 A1) or Minagawa ‘647 (USP 4,371,647).

Claims 1-5 and 7-8 and 10-12 have been rejected under 35 USC 35 103(a) as being unpatentable over Kennedy ‘233 (USP 5,409,233) in view of Bulpett ‘743 or Minigawa ‘647.

All of the above-noted rejections are traversed for the following reasons. It is additionally noted that claim 2 and 3 have been cancelled.

Distinctions between Present Invention and Cited References

All of the above-cited references relate to the employment of phosphorus acid compounds in connection with various coating compositions. Such phosphorus acid compounds are formed from phosphonic acid (having three oxygen atoms bonded directly to the phosphorus atom) and are referred to as “phosphites” or “phosphonates”.

All of the above-cited references fail to disclose or suggest the use of hypophosphorous acid compounds (having two oxygen atoms bonded directly to the phosphorus atom) in golf ball paint film coating compositions, as in the present invention. Hypophosphorous acid compounds are formed from phosphinic acid and are referred to as “hypophosphites” or “phosphonites”. Thus, all of the above-cited references fail to recognize the advantageously improved adhesion, durability and coloring-resistance properties as evidenced by the comparative test results provided in Table 6-8 summarized at pages 33-40 of the present specification. Further, the above-cited references fail to provide a basis for a suggestion to one skilled in the art to employ the hypophosphorous acid compounds (or phosphonite compounds) of the present invention, such that there fails to be a basis for asserting anticipation or obviousness against the claims of the present application. Consequently, it is requested that the above-noted rejections be withdrawn.

It is submitted for the reasons above that the present claims define patentable subject matter such that this application should now be placed in condition for allowance.

If any questions arise in the above matters, please contact Applicant’s representative, Andrew D. Meikle (Reg. No. 32,868), in the Washington Metropolitan Area at the phone number listed below.

Application No. 10/791,815
Amendment dated October 25, 2005
Reply to Office Action of July 26, 2005

Docket No.: 0754-0200P

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: October 25, 2005

Respectfully submitted,

By 

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